

KASOWITZ, BENSON TORRES & FRIEDMAN LLP

INDEX NO: CIV 2379/06

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

THE UNOFFICIAL ONSHORE CREDITORS' COMMITTEE OF  
THE BAYOU FAMILY OF COMPANIES

PLAINTIFF

AGAINST

BAYOU GROUP, LLC ET AL

DEFENDANT

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

STEVE AVERY, BEING DULY SWORN, DEPOSES AND SAYS THAT  
HE IS OVER THE AGE 18 YEARS, RESIDES IN THE STATE OF NEW YORK AND IS NOT A PARTY  
TO THIS ACTION. THAT ON THE 19TH DAY OF APRIL 2006 AT 12:10 PM  
AT THE OFFICE OF THE SECRETARY OF STATE OF THE STATE OF NEW YORK IN THE CITY OF  
ALBANY, NEW YORK, HE SERVED THE

CIVIL COVER SHEET; SUMMONS AND COMPLAINT; RULE 7.1. DISCLOSURE STATEMENT;  
NOTICE OF APPEARANCE OF JOSEPH A. GERSHMAN; NOTICE OF APPEARANCE OF JOSHUA S.  
BAUCHNER; NOTICE OF MOTION TO APPOINT RECEIVER; UNOFFICIAL ON-SHORE  
CREDITORS' COMMITTEE'S MEMORANDUM IN SUPPORT OF ITS MOTION TO APPOINT A  
RECEIVER; PROPOSED ORDER; DECLARATION OF JOSEPH A. GERSHMAN, INCLUDING ALL  
EXHIBITS ATTACHED THERETO; DECLARATION OF JONATHAN J. FISHER, INCLUDING ALL  
EXHIBITS ATTACHED THERETO; INDIVIDUAL PRACTICES OF JUDGE COLLEEN MCMAHON;  
AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE MARK D. FOX.

UPON: BAYOU FUND LLC

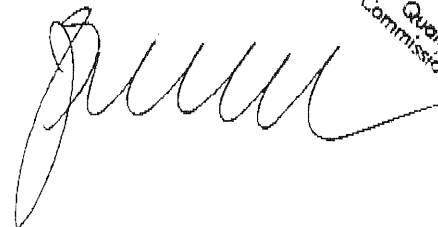
THE DEFENDANT IN THIS ACTION, BY DELIVERING TO AND LEAVING WITH  
DONNA CHRISTIE AGENT

IN THE OFFICE OF THE SECRETARY OF STATE OF NEW YORK, TWO TRUE COPIES THEREOF AND  
AT THE SAME TIME OF MAKING SUCH SERVICE, DEPONENT PAID SAID SECRETARY OF STATE ,  
A FEE OF \$ 40.00 . THAT SAID SERVICE WAS MADE PURSUANT TO SECTION 306 OF THE BCL.

DEPONENT FURTHER DESCRIBES THE PERSON ACTUALLY SERVED AS FOLLOWS:

SEX: FEMALE COLOR: WHITE HAIR: BLONDE APP. AGE: 35 APP. HT.: 5'5 APP. WT: 130  
OTHER IDENTIFYING FEATURES:

SWORN TO BEFORE ME THIS  
24TH DAY OF APRIL 2006



JOEL GOLUB  
Notary Public, State of New York  
No. 01604751136  
Qualified in Nassau County  
Commission Expires Dec. 31, 2009



STEVE AVERY  
AETNA CENTRAL JUDICIAL SERVICES  
225 BROADWAY  
NEW YORK, NY 10007  
REF NO: 9KBTf939537